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SENATE BILL 172

**49TH LEGISLATURE - STATE OF NEW MEXICO - FIRST SESSION, 2009**

INTRODUCED BY

Linda M. Lopez

FOR THE WELFARE REFORM OVERSIGHT COMMITTEE

AN ACT

RELATING TO THE LEGISLATURE; CREATING THE INTERIM HUMAN SERVICES COMMITTEE OF THE LEGISLATURE; CHANGING THE NAME OF THE JOINT INTERIM LEGISLATIVE HEALTH AND HUMAN SERVICES COMMITTEE TO THE LEGISLATIVE HEALTH COMMITTEE.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF NEW MEXICO:

Section 1. Section 2-13-1 NMSA 1978 (being Laws 1989, Chapter 349, Section 1) is amended to read:

"2-13-1. CREATION OF COMMITTEE--MEMBERS--APPOINTMENT--TERMS.--There is created a permanent joint interim committee of the legislature to be called the "legislative health [~~and human services~~] committee". The committee shall be composed of eight members. The New Mexico legislative council shall appoint four members from the house of representatives and four members from the senate. At the time of making the appointment, the

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1 legislative council shall designate the [~~chairman~~] chair and  
2 vice [~~chairman~~] chair of the committee. Members shall be  
3 appointed so as to give the two major political parties in each  
4 house the same proportionate representation on the committee as  
5 prevails in each house; provided, in no event shall either of  
6 such parties have less than one member from each house on the  
7 committee. Members may be removed from the committee by the  
8 legislative council, at the request of the committee [~~chairman~~]  
9 chair, for nonattendance according to council policy.

10 Vacancies on the committee, however caused, may be filled by  
11 the legislative council, or the council may reduce the size of  
12 the committee by not making replacement appointments and in  
13 such case need not readjust party representation. No action  
14 shall be taken by the committee if a majority of the total  
15 membership from either house on the committee rejects such  
16 action."

17 Section 2. Section 2-13-2 NMSA 1978 (being Laws 1989,  
18 Chapter 349, Section 2) is amended to read:

19 "2-13-2. DUTIES OF THE COMMITTEE.--The legislative health  
20 committee shall conduct a continuing study of the programs,  
21 agencies, policies, issues and needs relating to health [~~and~~  
22 ~~human services~~], including review and study of the statutes,  
23 constitutional provisions, regulations and court decisions  
24 governing such programs, agencies and issues. [~~The committee~~  
25 ~~shall also study the full continuum of programs and services~~

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1 ~~available and needed for children, families and the aging~~  
2 ~~population.]~~ The committee shall make an annual report of its  
3 findings and recommendations and recommend any necessary  
4 legislation to each session of the legislature."

5 Section 3. Section 2-13-3 NMSA 1978 (being Laws 1989,  
6 Chapter 349, Section 3) is amended to read:

7 "2-13-3. SUBCOMMITTEES.--Subcommittees shall be created  
8 only by majority vote of all members appointed to the  
9 legislative health committee and with the prior approval of the  
10 New Mexico legislative council. A subcommittee shall be  
11 composed of at least one member from the senate and one member  
12 from the house of representatives, and at least one member of  
13 the minority party shall be a member of the subcommittee. All  
14 meetings and expenditures of a subcommittee shall be approved  
15 by the full committee in advance of such meeting or  
16 expenditure, and the approval shall be shown in the minutes of  
17 the committee."

18 Section 4. Section 2-13-4 NMSA 1978 (being Laws 1989,  
19 Chapter 349, Section 4) is amended to read:

20 "2-13-4. REPORT.--The legislative health committee shall  
21 make a report of its findings and recommendations for the  
22 consideration of each session of the legislature. The report  
23 and suggested legislation shall be made available to the New  
24 Mexico legislative council on or before December 15 preceding  
25 each session."

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1           Section 5. Section 2-13-5 NMSA 1978 (being Laws 1989,  
2 Chapter 349, Section 5) is amended to read:

3           "2-13-5. STAFF.--The staff for the legislative health  
4 committee shall be provided by the legislative council  
5 service."

6           Section 6. Section 2-17-1 NMSA 1978 (being Laws 1998,  
7 Chapter 8, Section 21 and Laws 1998, Chapter 9, Section 21, as  
8 amended by Laws 2003, Chapter 311, Section 1 and by Laws 2003,  
9 Chapter 432, Section 1) is amended to read:

10           "2-17-1. [~~WELFARE REFORM OVERSIGHT~~] HUMAN SERVICES  
11 COMMITTEE CREATED--TERMINATION.--The joint interim legislative  
12 [~~welfare reform oversight~~] "human services committee" is  
13 created. The committee shall function from the date of its  
14 appointment until December 15 prior to the first session of the  
15 [~~forty-ninth~~] fifty-ninth legislature."

16           Section 7. Section 2-17-2 NMSA 1978 (being Laws 1998,  
17 Chapter 8, Section 22 and Laws 1998, Chapter 9, Section 22) is  
18 amended to read:

19           "2-17-2. MEMBERSHIP--APPOINTMENT--VACANCIES.--

20           A. The [~~welfare reform oversight~~] human services  
21 committee shall be composed of twelve members. The New Mexico  
22 legislative council shall appoint six members from the house of  
23 representatives and six members from the senate. At the time  
24 of making the appointment, the legislative council shall  
25 designate the [~~chairman~~] chair and vice [~~chairman~~] chair of the

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1 committee.

2 B. Members shall be appointed from each house so as  
3 to give the two major political parties in each house the same  
4 proportionate representation on the committee as prevails in  
5 each house; however, in no event shall either party have less  
6 than one member from each house on the committee. At the  
7 request of the committee [~~chairman~~] chair, members may be  
8 removed from the committee by the New Mexico legislative  
9 council for nonattendance according to legislative council  
10 policy. Vacancies on the committee, however caused, may be  
11 filled by the legislative council, or the legislative council  
12 may reduce the size of the committee by not making replacement  
13 appointments and in that case need not readjust party  
14 representation.

15 C. An action shall not be taken by the committee if  
16 a majority of the total membership from either house on the  
17 committee rejects that action."

18 Section 8. Section 2-17-3 NMSA 1978 (being Laws 1998,  
19 Chapter 8, Section 23 and Laws 1998, Chapter 9, Section 23) is  
20 amended to read:

21 "2-17-3. DUTIES.--

22 A. After its appointment, the [~~welfare reform~~  
23 ~~oversight~~] human services committee shall hold one  
24 organizational meeting to develop a work plan and budget for  
25 the ensuing interim. The work plan and budget shall be

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1 submitted to the New Mexico legislative council for approval.  
2 Upon approval of the work plan and budget by the legislative  
3 council, the committee shall:

4 (1) examine the statutes, constitutional  
5 provisions and rules governing welfare reform in New Mexico;

6 (2) monitor and oversee the implementation of  
7 the New Mexico Works Act;

8 (3) review issues related to ~~[welfare reform,~~  
9 ~~including]~~ job training and public benefits programs and  
10 related contracts; cash assistance; child care, transportation  
11 and other job-related services; alleviation of poverty,  
12 homelessness and hunger and other issues ~~[that arise because of~~  
13 ~~the devolution of the federal welfare programs to the states;~~  
14 ~~and]~~ related to helping New Mexicans rise out of poverty, take  
15 part in the work force and earn a family-sustaining wage;

16 (4) make recommendations relating to the  
17 adoption of rules and legislation, if any are found to be  
18 necessary;

19 (5) conduct a continuing study of the  
20 programs, agencies, policies, issues and needs relating to  
21 human services in New Mexico, including review and study of the  
22 statutes, constitutional provisions, regulations and court  
23 decisions governing such programs, agencies, policies, issues  
24 and needs; and

25 (6) study the full continuum of programs and

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1 services available and needed for children, families and the  
2 aging population.

3 B. The committee shall regularly receive testimony  
4 from the secretaries of human services; [~~labor~~] workforce  
5 solutions; children, youth and families; [~~and~~] health; higher  
6 education; and [~~the superintendent of public instruction~~]  
7 public education on poverty issues [~~arising from the~~  
8 ~~implementation of the New Mexico Works Act~~] and shall review  
9 proposed rules, schedules and formulae before adoption."

10 Section 9. Section 2-17-4 NMSA 1978 (being Laws 1998,  
11 Chapter 8, Section 24 and Laws 1998, Chapter 9, Section 24) is  
12 amended to read:

13 "2-17-4. SUBCOMMITTEES.--Subcommittees shall be created  
14 only by majority vote of all members appointed to the [~~welfare~~  
15 ~~reform oversight~~] human services committee and with the prior  
16 approval of the New Mexico legislative council. A subcommittee  
17 shall be composed of at least one member from the senate and  
18 one member from the house of representatives, and at least one  
19 member of the minority party shall be a member of the  
20 subcommittee. Any meeting or expenditure of a subcommittee  
21 shall be approved by the full committee in advance of that  
22 meeting or expenditure, and the approval shall be shown in the  
23 minutes of the committee."

24 Section 10. A new section of Chapter 2, Article 17 NMSA  
25 1978 is enacted to read:

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